

REMARKS/ARGUMENTS

This Preliminary Amendment also serves as a full and timely response to the final Office Action dated January 30, 2003. Please enter the present amendment and consider the following remarks prior to further consideration and examination.

In the Action, the Examiner objected to the disclosure because the specification includes several informalities. The present amendment is believed to overcome the objections. However, to the extent that the amendment does not represent the Examiner's suggestions for amending the specification, Applicants respectfully traverse the objections and submit that the disputed passages in fact read more comprehensively in view of the application as a whole as currently worded.

The Examiner also objects to the claims as a whole, as the initial statement to begin the claims should read, "What is claimed, is" or something of that sort. The present amendment should overcome the objection to the claims.

The Examiner rejected claims 5, 7 to 8, and 11 to 12 under 35 U.S.C. § 102(a) (or alternatively, under 35 U.S.C. § 103(a)) as being anticipated by (or obvious over) either the previously cited Rasmussen patent or the previously cited Caiola patent. Claim 6 is rejected as being obvious over either Rasmussen in view of the previously cited Iverson patent, or Caiola in view of Iverson.

Regarding the Caiola patent, this rejection is respectfully traversed. Claim 5 as pending prior to the present amendment recited that a compound capable of dissolving polyolefin is deposited on a surface of an oriented polyolefin material. The present specification (page 15, line 16 to page 17, line 2) lists examples of low molecular weight liquids (nonane, octane, decane, benzene, toluene, xylene, etc.) and polymerizable monomers (styrene, (meth) acrylic monomers, divinylbenzene, diallyl phthalate, etc.) which would be able to dissolve the polyolefin material.

In contrast, Caiola clearly teaches that a liquid is deposited onto a polyolefin as an aid for joining layers of polyolefin, but never teaches or suggests that such a liquid is one that is capable of dissolving the polyolefin. The only examples of a liquid bonding aid are various

alcohols having 1 to 5 carbon atoms, and aliphatic hydrocarbons having 5 to 7 carbon atoms. Not only does Caiola fail to teach compounds that correspond to those taught in the present specification as able to dissolve polyolefin material, but Caiola also expressly teaches that the liquids used therein do not perform such a function according to the Caiola method. At column 3, lines 21 to 33, Caiola teaches that the liquid is only used to wet the polyolefin surfaces, and is thereafter removed from the polyolefin surfaces once they are stacked upon one another. Caiola specifically mentions that it is important that the surfaces of the polyolefin sheets not be distorted in any manner due to heat or the presence of the liquid. Thus, it is clear that Caiola fails to teach each and every feature of the claims, and the rejections based on this reference should be withdrawn.

Regarding the Rasmussen and Iverson patents, the Examiner relies upon Rasmussen as anticipating each and every feature of the claimed invention apart from the use of a polymerizable monomer as a low molecular weight compound for dissolving the oriented polyolefin. Claim 5 is presently amended to include the feature that the low molecular weight compound is a polymerizable monomer that is combined with a peroxide (see page 17, lines 3 to 8 of the present specification). Although Iverson teaches that polymerizable monomers can be used to dissolve sheets of polyolefins, Iverson does not teach that such monomers would be combined with a peroxide compound. The present specification teaches that the peroxide compound improves polymerizability, particularly at weight percentage ranges which could be recited in other dependent claims. Rasmussen and Iverson make no mention of the application of a peroxide with a polymerizable monomer capable of dissolving a polyolefin onto a polyolefin surface, or the advantages obtained by such an application.

"To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)." M.P.E.P. § 2143.03. Accord. M.P.E.P. § 706.02(j). Because the prior art as discussed above fails to teach or suggest the features of the claims as presently amended, the present amendment overcomes the prior art that has been cited by the Examiner. It is therefore respectfully requested that the rejections of the claims be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully

Application No.: 09/355,946


7

Docket No.: MIY-9007

requested to pass this application to issue.

Dated: April 30, 2003

Respectfully submitted,

By 

David K. Benson

Registration No.: 42,314

(703) 955-3750

Attorneys for Applicant